

AMENDED IN ASSEMBLY MARCH 28, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2302**

**Introduced by Assembly Members Bass and Feuer**

**(Principal coauthor: Assembly Member Lieu)**

**(Coauthors: Assembly Members Brownley, DeVore, Evans, Horton,  
Maze, Nava, and Salas)**

February 21, 2008

An act to amend *and repeal* Section 44265.1 of the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2302, as amended, Bass. Teacher credentialing: specialist credential: pupils with autism.

Existing law requires the Commission on Teacher Credentialing, by December 1, 2007, to report to the Legislature and the Governor on the current existing process and requirements for obtaining a specialist credential in special education and recommend modifications to enhance and expedite those procedures.

This bill would ~~authorize the holder of a local educational agency or school to assign a teacher who holds a level 1 education specialist credential who is authorized, or a previously issued credential, that authorizes him or her to provide instruction to individuals with mild and moderate disabilities to provide instruction to pupils with autism, as defined by a specified provision of the Code of Federal Regulations;~~ *until, if the teacher consents to the assignment and satisfies certain criteria, as determined by the local educational agency or school. Local educational agencies and schools that assign teachers to provide instruction to pupils with autism pursuant to the bill would be required*

*to report teacher assignments made pursuant to that authority as part of their annual assignment monitoring pursuant to a specified statutory provision. These provisions would become inoperative 2 years after the commission adopts regulations to implement the recommended modifications regarding specialist credentials, or on August 31, 2011, whichever occurs first, and would be repealed on January 1, 2012.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 44265.1 of the Education Code is  
2 amended to read:

3 44265.1. (a) By December 1, 2007, the commission shall report  
4 to the Legislature and the Governor on the current existing process  
5 and requirements for obtaining a specialist credential in special  
6 education and recommend modifications to enhance and expedite  
7 these procedures.

8 (b) Notwithstanding any other provision of law, ~~the holder of~~  
9 *a local educational agency or school may assign a teacher who*  
10 *holds a level 1 education specialist credential who is authorized,*  
11 *or a previously issued credential, that authorizes him or her to*  
12 *provide instruction to individuals with mild and moderate*  
13 *disabilities may to provide instruction to pupils with autism, as*  
14 *defined by Section 300.8(c)(1)(i) 300.8(c)(1) of Title 34 of the*  
15 *Code of Federal Regulations, until the commission adopts*  
16 *regulations to implement the recommended modifications described*  
17 *in subdivision (a). Regulations if the teacher consents to the*  
18 *assignment and satisfies the criteria described in subdivision (c).*

19 (c) *The local educational agency or school shall determine that*  
20 *a teacher described in subdivision (b) has satisfied either of the*  
21 *following prior to allowing the teacher to provide instruction to*  
22 *pupils with autism:*

23 (1) *He or she has provided full-time instruction for at least one*  
24 *year prior to September 1, 2007, in a special education program*  
25 *that serves pupils with autism pursuant to their individualized*  
26 *education programs and received a favorable evaluation or*  
27 *recommendation to teach pupils with autism from the local*  
28 *educational agency or school.*

1     (2) *He or she has completed a minimum of three semester units*  
2 *of coursework in the subject of autism offered by a regionally*  
3 *accredited institution of higher education. The local educational*  
4 *agency or school shall maintain the certificate or other verification*  
5 *of completion of the coursework on file in its office.*

6     (d) *Local educational agencies and schools shall report teacher*  
7 *assignments made pursuant to this section as part of their annual*  
8 *assignment monitoring pursuant to Section 44258.9.*

9     (e) *This section shall become inoperative two years after the*  
10 *commission adopts regulations to implement the recommended*  
11 *modifications described in subdivision (a), or on August 31, 2011,*  
12 *whichever occurs first, and is repealed on January 1, 2012, unless*  
13 *a later enacted statute that is enacted before January 1, 2012,*  
14 *deletes or extends the dates on which it becomes inoperative and*  
15 *is repealed.*